IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 971 OF 2006

Valjibhai Trikambhai Gohil.] ..Petitioner

Vs.

1. State of Maharashtra & 8 ors.] ..Respondents

Mr. A.C. Singh i/b V.R. Damle for the petitioner.

Mr. N. Pandit, AGP, for respondents No.1 & 2.

Mr. G.D. Uttangale for respondent No.3.

Mr. M.U. Pandey for respondent No.6.

CORAM : F.I. REBELLO,
ANOOP V. MOHTA, JJ.

DATED : 27TH APRIL, 2006

P.C.

. Petitioner claims to be a promoter of a Society in respect of a SRA Scheme. It is his contention that the structure was illegally demolished by persons who had no authority in law. It is further submitted that an appeal was also heard by the authority not competent and thirdly, it is pointed out that he continues to be the promoter and as such, the SRA Scheme cannot proceed with. As we have noted now, persons are put forward by rival developers to frustrate SRA Schemes. The Scheme is meant for the benefit of the downtrodden sections of

our society. When such a situation arises,the Court will not permit the misuse of its extra ordinary jurisdiction. In the instant case, petitioner’s right has been accepted. He has been provided transit accommodation. In these circumstances, we do not feel that this would be a fit case where we should exercise our extra ordinary jurisdiction.

2. Petition dismissed.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]